

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

61 MISC.CIVIL APPLICATION NO.211 OF 2021

SAGUNA SACHIN GURAV
VERSUS
SACHIN AADINATH GURAV

...

Advocate for Applicant : Mr. Mohit S. Shah

Advocate for Respondent : Mr. H.V. Tungar

...

CORAM : MANGESH S. PATIL, J.

DATED : 13/06/2022.

PER COURT :

This is an application under section 24 of the Code of Civil Procedure, seeking transfer of divorce proceedings instituted by respondent-husband and pending on the file of Court at Barshi to the Court at Chalisgaon..

2. I have heard the learned advocates of both the sides. Parties were also referred for mediation, but it was failed.

3. The applicant is claiming that she has no male person in the family to accompany her for commuting between Chalisgaon and Barshi and that she has to maintain and look after the child which is 9 years old, as the ground to demonstrate that she is facing hardship in

defending the divorce proceedings.

4. The respondent, in his reply, has specifically asserted that the child is with him and taking education at Barshi. A bonafide certificate issued by the Head-Master of the school has also been produced on record which has not been controverted by the applicant.

5. It is thus apparently clear that one of the ground put forth by the applicant in seeking the transfer is not tenable.

6. Considering the fact that an attempt has been made by the applicant to get the matter transferred by making incorrect statement, coupled with the fact that there is no sufficient and cogent reason for transfer of the matter, it would be appropriate that instead of transferring the divorce proceedings, the respondent is made to compensate the applicant for the actual expenses which she may have to incur for attending the divorce proceeding at Barshi.

7. The learned counsel for the respondent, on instruction, from his client who is present in person in the Court submits that the respondent's income is around Rs.30,000/- per month.

8. The application is rejected. However, the respondent shall pay to the applicant Rs.1200/- for every date she attends the divorce proceedings in person in the Court at Barshi.

9. The learned Judge taking up the divorce proceedings at Barshi, shall see that respondent obeys this direction punctually.

[MANGESH S. PATIL, J.]

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